

SEATTLE-KING COUNTY
DEPARTMENT OF PUBLIC HEALTH
Environmental Health Services Division
v.

FULL NAME(S) OF PERSON(S)
RESPONSIBLE FOR CODE
COMPLIANCE

CASE NO. CO

NOTICE OF HEALTH CODE VIOLATION;
CIVIL PENALTY ORDER; COMPLIANCE ORDER
(NOTICE AND ORDER)

CERTIFIED MAIL NO.

TO: FULL NAME(S) OF PERSON(S) RESPONSIBLE FOR CODE COMPLIANCE
MAILING ADDRESS(ES) OF PERSON(S) RESPONSIBLE FOR CODE COMPLIANCE

RE: Health Code violation(s) upon the real property ("the Property") described below and
located at:
STREET ADDRESS OF SUBJECT PROPERTY

**YOU ARE HEREBY NOTIFIED PURSUANT TO CHAPTER 1.08 OF THE CODE OF THE KING
COUNTY BOARD OF HEALTH (RULES AND REGULATIONS NO. 7, SECTION 202) OF THE
FOLLOWING VIOLATION(S):**

Failure to cause an on-site sewage system maintenance and performance monitoring inspection
to be performed for the property described below ("the property") and to have a current system
operation and maintenance/performance monitoring report prepared by a licensed on-site sewage
system maintainer and submitted to the Seattle-King County Department of Public Health ("Public
Health"), in violation of King County Board of Health Code (BOH) 13.60.005 and 13.60.010.

ADDRESS AND LEGAL DESCRIPTION OF LOCATION OF VIOLATION:

STREET ADDRESS, CITY, WA

Tax Parcel No. - - - - -

Legal Description:

TYPE ENTIRE LEGAL DESCRIPTION IN THIS SPACE, OR, IF THE FULL LEGAL
DESCRIPTION IS TOO LENGTHY, TYPE "See Appendix A, attached," AND TYPE THE LEGAL
DESCRIPTION ON THE ATTACHED DOCUMENT LABELED "APPENDIX A.")

CODES AND SECTIONS:

Chapter 70.118A RCW: On-site Sewage Disposal Systems – Marine Recovery Areas

RCW 70.118A.050: Marine Recovery Area On-site Strategy

Code of the King County Board of Health, Title 13, Sections:

13.60.005: Operation and maintenance

13.60.010: Monitoring of residential, community or commercial systems

13.08.152: Failure [defined]

13.04.060: Failure prohibited

COMPLIANCE ORDER -- CORRECTIVE ACTION REQUIRED:

You are hereby notified and ordered by the Director of the Seattle-King County Department of
Public Health to undertake the following corrections to bring the Property into compliance with
applicable code provisions:

- I. **No later than May 4, 2012: Complete and submit OSS operation and
maintenance/performance monitoring inspection and report.** Obtain the services of a
licensed on-site sewage system maintainer to (a) complete a maintenance and performance
monitoring inspection of the on-site sewage system at the property in accordance with BOH
13.60.005; and (b) document the system type, location, and function, and submit the
inspection report to Public Health in accordance with BOH 13.60.010. In addition, if no
record drawing of the on-site sewage system has previously been filed with Public Health,
obtain the services of a licensed on-site sewage system maintainer, designer, or
professional engineer to prepare a record drawing and submit the record drawing to Public
Health.

Your on-site sewage system maintainer must submit completed operation and
maintenance/performance monitoring reports and record drawings to: Public Health –
Seattle and King County, Environmental Health Services Division, Wastewater Program,
14350 SE Eastgate Way, Bellevue, WA 98007.

– and –

II. No later than July 1, 2012: If the on-site sewage system is failing, cause it to be lawfully repaired or upgraded by a certified master installer in accordance with an approved on-site sewage system design. If the licensed on-site sewage system maintainer finds that the on-site sewage system is failing, the following corrective actions must be completed:

- (a) Design submittal: Obtain the services of a licensed on-site sewage system designer or professional engineer to prepare and submit a site design application in accordance with BOH Chapters 13.28, 13.64, and 2.18 to repair or upgrade the on-site sewage system by July 1, 2012; and
- (b) Repair by certified master installer: Obtain the services of a certified on-site sewage system master installer in accordance with BOH Chapter 13.20 to obtain an installation permit and repair or upgrade the on-site sewage system by July 1, 2012 in accordance with an approved site design application.

CIVIL PENALTY; NOTICE OF LIEN:

Failure to complete any of the above-described corrective action(s) before the stated compliance deadline dates shall subject you to the assessment of civil penalties in the amount of \$25.00 per day as a result of the above-described violation(s). If the corrective measures are not completed in accordance with the terms of this and any supplemental or amended notice and order, the Director of the Seattle-King County Department of Public Health is authorized to abate the violation by causing the corrective work to be done and charging the costs thereof as a lien against the Property and as a personal obligation of any person in violation. In the event of non-compliance, the Seattle-King County Department of Public Health shall bill you for the civil penalty amount incurred up to and through the date of billing. Civil penalty bills are due and payable 30 days from receipt. The civil penalty is charged as a personal obligation of each violator and as one or more liens against the Property.

MISDEMEANOR PROSECUTION:

Under Health Code Section 1.08.050, each willful or knowing violation of public health rules and regulations is a misdemeanor punishable by a fine not to exceed five hundred dollars (\$500.00) and/or imprisonment in the county jail for a term not to exceed ninety (90) days. Each day such violation continues shall be considered an additional offense.

DUTY TO NOTIFY:

You have the duty to notify the Health Department of any actions to correct the above-described code violations you have taken since the receipt of this Notice and Order.

APPEAL:

Any person aggrieved by this order may appeal the Notice and Order to the King County Hearing Examiner, provided the appeal is made in writing, states the decision being appealed and the reasons for seeking an appeal hearing, and filed with the Seattle-King County Department of Public Health, Environmental Health Administration, 401 Fifth Avenue, Suite 1100, Seattle, WA, 98104, within ten (10) days from the date of service of such Notice and Order, as provided in Section 1.08.140 of the Code of the King County Board of Health. The appropriate form for appeal is enclosed, or may be obtained from the Environmental Health Services Administrative Office, 401 5th Avenue, Suite 1100, Seattle, WA 98104, telephone (206) 205-4394.

Dated this 4th day of April, 2012.

SEATTLE-KING COUNTY DEPARTMENT OF PUBLIC HEALTH
David Fleming, M.D., Director and Health Officer

By: _____
Greg Bishop, Supervisor
Environmental Health Services
Eastgate Public Health Office

cc: Jarone Baker, Health and Environmental Investigator
Environmental Health Administration, Attn: Enforcement Coordinator